

ratios of electric resistance of said two or more color powder coatings if form 0.1 to 10.

32. A coating composition comprising two or more powder coating compositions selected from any one of claims 26-31.

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Cond. 33. The coating composition according to claim 23, wherein one powder coating is a white powder coating containing a white pigment and the other powder coatings contain no white pigment.

34. The combination of powder coatings according to claim 26, wherein the average particle size of the powder coating is from 1 to 50 μm .

35. The combination of powder coatings according to claim 26, wherein the average particle size of the powder coating exceeds 10 μm .

36. The combination of powder coatings according to claim 26, wherein said combination is prepared by mixing two or more powder coatings such that the difference in triboelectric charge of said two or more powder coatings is 5.0 $\mu\text{C/g}$ or less.

REMARKS

Claims 2-7 and 22-36 are pending in the present application. Claims 9-21 are withdrawn from consideration as being directed to a nonelected invention.

Rejection Under 35 USC § 112, second paragraph

Claims 1-8 stand rejected under 35 USC § 112, second

paragraph. The rejection is traversed.

Claim 1 has been cancelled and replaced with claim 22. Claim 22 does not include the objected to terminology. Claim 8 has been cancelled, thus obviating this aspect of the rejection. Accordingly, reconsideration and withdrawal of the rejection is earnestly solicited.

Rejections Under 35 USC § 102(b)/103

Claims 1-8 stand rejected under 35 USC § 102(b)/103 as being anticipated, or in the alternative, as obvious over Morgan et al., U.S. '001. The rejection is traversed.

Morgan et al. is directed to colored powdered coating composition wherein the particles having a size of below 10 microns with different colors are agglomerated into composite particles of mean particle size 15 to 75 microns (see Abstract of Morgan). The resulting composite particles are used for coating.

On the contrary, the present invention is directed to a combination or a composition of two or more powder coatings without an agglomeration treatment of the two or more powder coatings of different colors.

The Examiner points to column 3, lines 40-48 and states that Morgan teaches that the basic color powder coating compositions used to form the mixture should have similar ... rheological properties. However, triboelectric charge is not a rheological property. The present inventors have discovered that when applying

two or more powder coatings where a difference in the triboelectric charge exceeds $5.0 \mu\text{C/g}$, these powder coatings cannot be uniformly applied on the substrate due to a non-uniform electric line of forces. This key feature is claimed in the present invention. In other words, the purpose of the present invention is to inhibit formation of a non-uniform coating film, and thereby a film having a visually homogeneous hue is obtained as discussed in the paragraph bridging pages 13 and 14 of the present specification. Such a feature is not taught or suggested by Morgan et al.

Morgan et al. disclose that agglomerates of powder particles are prepared and the resulting agglomerate is applied. Specifically, Morgan et al. teach composite particles as powder coatings and applying the composite particles to a substrate. More precisely, Morgan et al. teach that only one type of composite particles is applied, not two or more composite particles. Accordingly, when reviewing Morgan et al. a person skilled in the art would have not been motivated to adjust the triboelectric charges of the composite particles, because all the composite particles to be applied are of the same kind. Therefore, Morgan et al. is completely irrelevant and does not teach or suggest the present invention. Reconsideration and withdrawal of the rejection is requested.

Claims 1-8 stand rejected under 35 USC § 102(b) as being unpatentable over Fitzgerald or obvious over Fitzgerald in view of Morgan et al. The rejection is traversed.

Fitzgerald pertains to a metallic coating. Fitzgerald does not teach a combination or composition of two or more powder coatings used in a coating method for forming a coating film having a visually homogeneous hue. Thus, there can be no anticipation.

At column 1, lines 28-32 of Fitzgerald, it is disclosed that "[t]he novel powder coating composition of this invention ... has an unusual depth of color, in particular, a metallic glamour or a reflective sparkle." The invention requires reflective flakes such as aluminum flakes. One skill in the art would know that aluminum flakes have very different triboelectric charges from the resin particles so as not to make obvious the present invention which requires a difference in triboelectric charge of two or more powder coatings to be $5.0 \mu\text{C/g}$ or less. Accordingly, Fitzgerald fails to provide the motivation for one skilled in the art to arrive at the present invention. As discussed above, Morgan et al. is totally select with, respect to triboelectric charge and thus a combination rejection with Morgan is totally improper. Withdrawal of the rejection is earnestly solicited.

Claims 1-8 stand rejection under 35 §§ 102(b)/103 as being unpatentable over EP 87204. The rejection is traversed.

EP'204 also does not teach a combination or composition of powder coatings used in a coating method for forming a coating film with visually homogeneous hue as claimed in the present invention. For instance, at column 4, lines 14 to 21, it is disclosed that "moulded objects whose outer surfaces and inner surfaces have

different properties can not be made in one step by rotational moulding." This is completely a different technical idea from the "uniform" coating layer as obtained in the present invention, because the EP reference refers to a product obtained by mixing and applying different kinds of powder coatings while the coated materials are separated upon coating.

EP'204 is totally silent with respect to triboelectric charge. Accordingly, there can be no anticipation. Moreover, one skilled in the art would not be motivated to combine two or more powder coatings having a triboelectric charge of $5.0 \mu\text{C/g}$ or less. EP'204 is totally silent as to this point. Withdrawal of the rejection is earnestly solicited.

In view of the above remarks, all the claims remaining in the case as amended, including newly added claims, are submitted as defining non-obvious, patentable subject matter. Reconsideration of the rejections and allowance of the claims are respectfully requested.

Pursuant to 37 CFR 1.17 and 1.136(a), the Applicants respectfully petition for a one (1) month extension of time for filing a response in connection with the present application and the required fee of \$110.00 is attached hereto.

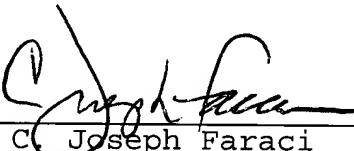
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If necessary, the Commissioner is hereby authorized in this, concurrent, and further replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. 1.16 or under 37 C.F.R. 1.17; particularly, extension of time fees.

Respectfully submitted,

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